

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE: Application of Sarah S. BACUS et al.

International Application No.: PCT/EPUS2004/026434

International Filing Date: August 10, 2004

For: Biomarkers in Cancer

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Applicants request that the references identified on Form PTO-1449 appended hereto be considered by the Examiner and officially made of record in accordance with the provisions of 37 CFR 1.97

☒ Copies of the references are enclosed

☐ Copies of the references were submitted in parent application Serial No. _____
(37 CFR 1.98(d))

☐ A copy of the International Search Report which issued on International Application No. _____ PCT/EP[NO] is submitted herewith. All of the publications cited in the International Search Report are listed on the attached form PTO-1449 and Applicants understand that copies have been supplied to the U.S. Patent Office by the International Bureau.

A. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of the above application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 CFR 1.97(b).

OR

☐ The Information Disclosure Statement submitted herewith is being filed before the mailing of a first office action after the filing of a Request For Continued Examination under 37 C.F.R. 1.114 (37 C.F.R. 1.97(b)(4)).

B. ☐ The Information Disclosure Statement transmitted herewith is being filed **after** three months of the filing date of the above application or the date of entry into the national stage as set forth in § 1.491 of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last, but **before** the mailing date of either:
(1) a final action under § 1.113 or
(2) a notice of allowance under § 1.311,
whichever occurs first.

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Patty Wilson

- ☐ Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ Applicant elects the option to pay the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under § 1.97(c) (\$180.00).
- C. ☐ The Information Disclosure Statement transmitted herewith is being filed **after** a final action under § 1.113, or a notice of allowance under § 1.311, whichever occurs first, but before the payment of the issue fee. Also enclosed is a copy of the International Search Report which Issued on International Publication No.

In accordance with the requirements of 37 CFR 1.97(d):

- ☐ Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. **[or]**
- ☐ Applicant hereby certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this statement; and
- ☐ The petition fee set forth in § 1.17(i)(1) (\$180.00) is submitted herewith.
- ☒ Please charge any required fees to Deposit Account No.07-1392.
- ☐ A duplicate copy of this paper is attached.

Respectfully Submitted,



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Date: 14 Feb. 2006

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FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT				INT'L FILING NO.		PCT/US2004/026434	
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				APPLICANT		Bacus et al.	
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				EXAMINER			
				ATTORNEY DOCKET NO.		PR60446USw	
U.S. PATENT DOCUMENTS							
Examiner Initials		Patent Number	Issue Date	Name	Class	Subclass	Filing Date If Appropriate
FOREIGN PATENT DOCUMENTS							
		Document Number	Publication Date	Country	Class	Subclass	Translation Yes No
	1.	WO 04/000094	12/31/2003	PCT			
OTHER DOCUMENTS (Including Author, Title, Journal-Date, Page Number, Etc.)							
	2.	ALBANELL et al., Activated Extracellular Singnal-regulated Kinases: Association with Epidermal Growth Factor Receptor/Transforming Growth Factor α Expression in Head and Neck Squamous Carcinoma and Inhibition by Anti-Epidermal Growth Factor Receptor Treatments, Cancer Research 61:6500-6510 (2001).					
	3.	BROGNARD et al., Akt/Protein Kinase B is Constitutively Active in Non-Small Cell Lung Cancer cells and Promotes Cellular Survival and Resistance to Chemotherapy and Radiation, Cancer Research 61:3986-3997 (2001).					
	4.	CHEN et al., Constitutively active Akt is an important regulator of TRAIL sensitivity in prostate cancer, Oncogene 20:6073-6083 (2001).					
	5.	COCKERILL et al., Indazolylamino Quinazolines and Pyridopyrimidines as Inhibitors of the EGFR and C-erbB-2, Bioorganic & Med. Chem Lett. 11:1401-1405 (2001).					
	6.	GRANDIS et al., Lvels of TGF- α and EGFR Protein in Head and Neck Squamous Cell Carcinoma and Patient Survival, J. Nat. Cancer Inst. 90(11):824-832 (1998).					
	7.	HOSHINO et al., Constitutive activation of the 41-/43-kDa mitogen-activated protein kinase signaling pathway in human tumors, Oncogene 18:813-822 (1999).					
	8.	JANES et al., Activation of the Ras signaling pathway in human breast cancer cells overexpressing <i>erbB-2</i> , Oncogene 9:3601-3608 (1994).					
	9.	RUSNAK et al., The Characterization of Novel, Dual ErbB-2/EGFR, Tyrosine Kinase Inhibitors: Potential Therapy for Cancer, Cancer Research 61:7196-7203 (2001).					
	10.	RUSNAK et al., The Effect of the Novel, Reversible Epidermal Growth Factor Receptor/ErbB-2 Tyrosine Kinase Inhibitor, GW2016, on the Growth of Human Normal and Tumor-derived Cell Lines <i>in Vitro</i> and <i>in Vivo</i> , Mol. Cancer Ther. 1:85-94 (2001).					
	11.	TARI and LOPEZ-BERESTEIN, Serum predominantly activates MAPK and Akt kinases in EGFR- and ErbB2-over-expression cells, respectively, Int. J. Cancer 86:295-297 (2000).					
	12.	TENZER et al., The Phosphatidylinositide 3'-Kinase/Akt Survival Pathway is a Target for the anticancer and Radiosensitizing Agent PKC412, an Inhibitor of Protein Kinase C ¹ , Cancer Research 61:8203-8210 (2001).					
EXAMINER					DATE CONSIDERED		
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.							